



Delegated decision report

DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE 3 SEPTEMBER 2012

Title	REVISIONS TO CABINET MEMBER RESPONSIBILITIES 2012/13
Report Author	REPORT TO THE LEADER AND CABINET MEMBER FOR RESOURCES

SUMMARY AND BACKGROUND

1. The Council has delegated to the Leader the size of its Cabinet (up to a maximum of 9 excluding the Leader) and the appointment of the Cabinet Members and any Cabinet Secretaries he may wish to appoint. Since making a decision via delegated powers on 23 May 2011, the Leader has had a Cabinet of 6 members (including the Leader) with various responsibilities to reflect the priorities of the Council, along with a non-voting Cabinet Secretary.
2. The decision made on 23 May 2011 aligned the distribution of Cabinet Member responsibilities with the new chief officer and management structure which was implemented by the Chief Executive earlier in the same year. In the 15 months since the appointment of Cabinet Members with those revised responsibilities, there have been some further organisational changes within the Council, along with the corporate priorities (as set out in the Corporate Plan) of the local authority being progressed in accordance with the updated Medium Term Financial Strategy.
3. In this context, the Leader has indicated that he considers it is now timely to make further revisions to the distribution of Cabinet Member responsibilities. He has also indicated that, in making such changes, he wishes to draw on the experience and knowledge which other elected members are able to offer – at the Cabinet level and also in leading the various committee functions of the Council. However, in bringing forward these changes, the Leader is conscious of continuing workstreams in particular service areas, along with the need to achieve an appropriate balance between the retention of existing Cabinet Member level experience (and therefore providing continuity) and bringing other elected members, with fresh perspectives, into membership of the Cabinet. With this in mind, the changes proposed in this report are intended to be implemented on a staged basis, recognising that by taking such an approach the appointments can be effective from particular dates that provide appropriate and timely junctures for continuity, change and handover.
4. It is therefore proposed that changes to the membership of the Cabinet and the distribution of responsibilities are implemented on a two stage basis, with effect

from 3 September and 26 November 2012 respectively. To clearly indicate how these responsibilities would be distributed and implemented, the following appendices are made available with charts detailing the alignment of Cabinet Member responsibilities to individual service areas:

- a. Appendix 1 to this report indicates the current distribution of Cabinet Member responsibilities, based on the chart published at the time of the 23 May 2011 decision.
 - b. Appendix 2 to this report indicates the proposed distribution of Cabinet Member responsibilities from 3 September 2012, setting out a greater level of detail relating to individual service areas than was provided in the chart of 23 May 2011 (as included in Appendix 1).
 - c. Appendix 3 to this report indicates the proposed distribution of Cabinet Member responsibilities from 26 November 2012. This is an updated version of the chart in Appendix 2.
5. These appendices show how the service areas within the chief officer and management structure are currently matched to Cabinet Members and furthermore how they would be under the proposed changes. Details of particular service areas overseen by strategic managers and commissioning managers have been included to a greater level of detail than what was previously provided, to aid the understanding of the structure of the organisation and the corresponding responsibilities. As paragraph 10 below states, it is within the Leader's discretion to determine what further specific responsibilities fall within the remit of each individual Cabinet Member's title, and therefore there may be specific matters within the particular service areas which the Leader may determine, from time to time, should sit with a particular Cabinet Member(s).
 6. As Appendix 2 to this report makes clear, it is proposed that Cllr Dave Stewart, the elected member for Chale, Niton and Whitwell, joins the Cabinet with effect from 3 September 2012, taking responsibility for Public Health, Community Safety and Local Services. Public Health is an additional responsibility for local government which formally transfers to the Council on 1 April 2013. Cllr Stewart's Cabinet responsibility for Community Safety would also align with his new role as Chairman of the Police and Crime Panel for Hampshire and the Isle of Wight. Cllr Barry Abraham would leave the Cabinet with effect from the same date (3 September 2012). Appendix 2 also sets out a number of other proposed adjustments to the distribution of Cabinet responsibilities, with effect from the same date.
 7. As Appendix 3 to this report makes clear, it is proposed that Cllr Stuart Hutchinson, the elected member for West Wight, joins the Cabinet with effect from 26 November 2012, taking responsibility for Adult Social Care and Housing. Cllr Roger Mazillius would leave the Cabinet with effect from the same date (26 November 2012).
 8. With the decision for both stages of implementation due to be made on 3 September, it formalises the opportunity for Cllr Hutchinson to work alongside Cllr Mazillius between then and 26 November in preparing to assume Cabinet Member responsibility for Adult Social Care and Housing. This assists with the desire to see appropriate continuity and handover in this major area of policy and budget responsibility.

9. Whilst this decision is not defined as a key decision, it has appeared within the Forward Plan so that other members and the wider public are aware that such changes are likely to be made in the timescales proposed.
10. It should be noted that in making this decision, the Leader will be delegating executive functions to Cabinet Members, in relation to their respective named titles. It is within his discretion to determine what further specific responsibilities fall within the remit of each individual Cabinet Member's title. Whilst the charts included as appendices to this report indicate the proposed match of individual service areas to particular Cabinet Members, it remains at the discretion of the Leader to adjust these matches at any time (and update them in relation to any future changes to the distribution of officer responsibilities within the chief officer and management structure), whilst ensuring that such allocations broadly align with the defined titles given to individual Cabinet Members through this decision. The Leader has indicated his intention to publish an updated colour-coded chart whenever there is any revision to the match of individual service areas, however it is anticipated that the charts set out in appendices 2 and 3 will remain sufficiently clear as to the broad distribution of responsibilities from the respective dates onwards.
11. At the Annual Council meeting on 19 May 2010, it was agreed that the exercise of such delegation was not subject to the call in provisions, so the decision will take effect immediately after the Leader has formally signed the decision off - hence why the first stage of implementation is expected to be effective from 3 September 2012, which is when the Leader intends to make the decision.

FINANCIAL IMPLICATIONS

12. There are no financial implications arising from this report, other than the continued payment of special responsibility allowances to the same number of Cabinet Members and a Cabinet Secretary, in line with the decision made by the Council to accept the recommendations of the Independent Remuneration Panel (IRP). There may be some very minor adjustments made to the allowance provided to Cabinet Members for travel (based on their distance from County Hall), but these will be contained within the overall allocated budget.

EQUALITY & DIVERSITY

13. The Council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and foster good relations between people with different characteristics. Having had regard for these duties, the Leader is satisfied that the proposed appointments, which are being made on merit (in accordance with the points made in paragraph 3), are compliant with the Council meeting its statutory obligations under the Act.

ACTION REQUIRED BY THE LEADER

14. To confirm:
 - a) The establishment of a Cabinet of 6 members including the Leader of the Council, supported by one non-voting Cabinet Secretary.

- b) That the following councillors be appointed as Cabinet Members, with the titles set out below, with effect from 3 September 2012 (or effective from whenever this decision is made should it be a later date), and that these appointments supersede those made in the decision of 23 May 2011:

(i) **Deputy Leader and Cabinet Member for the Economy and Regulatory Services**

Councillor George Brown

(ii) **Cabinet Member for Procurement, Fire, Highways and Transport**

Councillor Edward Giles

(iii) **Cabinet Member for Children's Services and Education**

Councillor Dawn Cousins

(iv) **Cabinet Member for Adult Social Care and Housing**

Councillor Roger Mazillius

(v) **Cabinet Member for Public Health, Community Safety and Local Services**

Councillor Dave Stewart

(As set out in Appendix 2 to this report).

- c) That in addition to being Leader of the Council, Cllr David Pugh will assume overall responsibility for resources so shall have the additional title of **Cabinet Member for Resources**.
- d) That Cllr Tim Hunter-Henderson is appointed to continue as **Cabinet Secretary**.
- e) That the appointment of Cllr Roger Mazillius as the Cabinet Member for Adult Social Care and Housing (as set out in (b)(iv) above) is superseded by the following appointment with effect from 26 November 2012:

(i) **Cabinet Member for Adult Social Care and Housing**

Councillor Stuart Hutchinson

(As set out in Appendix 3 to this report)

RECOMMENDATION

15. To confirm the appointments as set out in paragraph 14 above, on the timescales proposed.

APPENDICES ATTACHED

16. [Appendix 1](#): the current distribution of Cabinet Member responsibilities.
17. [Appendix 2](#): the proposed distribution of Cabinet Member responsibilities from 3 September 2012.
18. [Appendix 3](#): the proposed distribution of Cabinet Member responsibilities from 26 November 2012.

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DAVINA FIORE
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(Corporate Governance)
and Monitoring Officer

COUNCILLOR DAVID PUGH
Leader and
Cabinet Member for Resources

Decision

Signed

Date
